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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
AMENDMENT AND RESPONSE TO FIRST OFFICE ACTION

In RE:

Serial no.: 10/799,202  
Filing date: 03/12/2004  
Confirmation No. 7583  
Title: Andropogon Plant Named 'Big Daddy'  
Inventor: Neil Hart Diboll  
Group Art Unit: 1661  
Examiner: Anne Marie Grunberg  
Docket No. 200408

TO: Commissioner of Patents, Alexandria, VA. 20231-1450

**TRANSMITTAL LETTER**

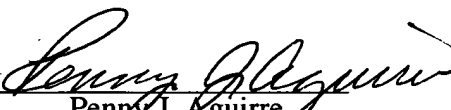
The Following documents related to this application are enclosed:

1. Response to Office Communication 12/08/2004 (8 Pages)  
including this page.
2. Substitute Specification and Claim (8 Pages)
3. Marked up copy of Original Specification (8 Pages)
4. Postcard

Date: 2/01/2005

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Signature

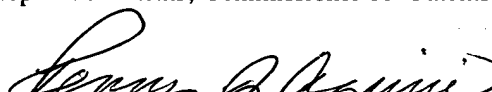
  
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**CERTIFICATE OF MAILING BY FIRST CLASS MAIL**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendments, Commissioner for Patents. PO Box 1450, Alexandria, VA 20231-1450

On 2/01/2005  
Date

Signature

  
Penny J. Aguirre, Reg. No. 52,546

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**RESPONSE**

**INTRODUCTORY COMMENTS**

Dear Ms. Grunberg:

This is the Applicant's response to the Office communication dated 12/08/2004. The applicant requests that the previous reply and the original specification and claim be cancelled and replaced with the substitute specification and claim included with this response. All of the examiner's objections have been addressed either by amendment or by comment in the REMARKS section. No additional fees are believed to be necessary. It is requested that the following amendments be made.